

City of Anaheim

Administrative Regulation

CHAPTER 3 - ADMINISTRATIVE

Subject:	Administration of Contracts for City Improvements (Public Work Construction Projects)	AR	110
		Issue Date:	Oct. 2, 1989
		Revised:	Sept. 17, 2003 June 1, 2011
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Purpose:

The purpose of this regulation is to establish a policy concerning the procedures and administration of City contracts for City Capital Improvements and to provide one contact point for City Departments and contractors.

Procedures:

Preparation of designs, drawings and plans for City Capital Improvements:

Any department that must utilize architectural or engineering firms to develop plans which will result in a Public Work construction project shall first submit the Request for Proposals (RFP) and the proposed selection process to the City Engineer for approval and follow procedures in Council Policy 4.1 and Administrative Regulation 120. Any such RFP shall include the City's standard, current language for indemnification and insurance (contact Risk Management with any questions concerning these requirements).

The City's project Architect/Engineer shall prepare plans and specifications in cooperation with the using Department to assure the utility of the improvements. Plans and specifications shall comply with all City codes and standards.

The City Engineer shall approve all plans, designs, and drawings for City capital improvements.

The using Department's representative shall cooperate with the project Architect/Engineer in defining the proposed use of the City capital improvements and approve the final plans and specifications as to function and utility.

The Building Division shall approve building plans for city-owned buildings and structures and specifications for compliance with the Building Code and issue necessary building permits for all City owned buildings and structures.

Bidding and Award of City Improvement Projects:

The bidding, award, implementation of all City capital improvement projects shall be

administered by the Public Works Department in accordance with its Contract Administration Capital Projects Procedure Manual. The using Department's representative shall concur, in writing, with the award recommendation.

The staff report awarding the construction contract shall be prepared and submitted according to A.R. 105.

After the contract has been awarded by the City Council, the Contract Administrator shall request the City Attorney to prepare the contract, and transmit the contract to the Contract Administrator who shall make arrangements to obtain signatures of the other parties on the contract prior to submitting the agreement for the Mayor or City Manager signature.

The Contract Administrator shall advise the contractor that the contractor will not be authorized to proceed with any work until the City receives and approves all required contracts, insurance, and bonds. The contractor will also be advised that all documents must be received by the City within the duration specified in the project documents.

Upon receipt of all required documents from the contractor, the Contract Administrator will forward the following such documents to the City Attorney:

1. Three (3) original contract/amendments (executed by the consultant/other party(ies), to be "approved as to form" by the City Attorney.
2. Insurance documentation (certificates/endorsements) and bonds, to be "approved as to form" by the City Attorney.

After approval by the City Attorney, the City Attorney shall forward the original contract package to the City Clerk's office for execution by the Mayor (or City Manager if authorized) and City Clerk. The City Clerk's office will process and distribute the fully executed contract documents – one original contract document set shall remain with the City Clerk, one original contract document set will be forwarded to the Contract Administrator and one original contract documents set will be forwarded to the City Attorney. The Contract Administrator shall forward one fully executed contract document set to the contractor with a letter of transmittal advising the contractor to either (i) proceed with the work immediately or (ii) proceed with the work only upon receipt of a written notice to proceed. A copy of the transmittal letter shall be forwarded to Accounts Payable .

The City Clerk will send a monthly insurance expiration report to the Contract Administrator advising of the contractors who have not yet completed insurance requirements or required renewals.

The Contract Administrator shall notify the City Clerk's Office within thirty (30) days of expiration/termination and completion of agreement.

Contracts requiring the construction of any city-owned building or structure shall require the contractor to obtain a building permit from the City prior to commencing construction.

Construction of City Capital Improvement Projects:

The Contract Administrator shall schedule and attend the pre-construction conference with the contractor, using department, Building Division (if a City-owned structure) and City Engineer's representative. The Contract Administrator shall administer the construction contract in accordance with the project manual and the Public Works Capital Projects Procedure Manual.

In conjunction with the Contract Administrator, the City's project Architect/Engineer shall:

1. Prepare and/or approve the estimate of completed work for monthly progress payments. The report to be delivered to the Director of Public Works on or before the first day of each month following commencement of construction.
2. Initiate a change in the work in cooperation with the Director of Public Works, by issuing an authorization to proceed approved by the Director of Public Works.
3. Inspect the work sufficiently close so as to assure that the construction is in accordance with the plans and that the materials used conform to the requirements of the specifications.
4. Prepare and deliver to the Director of Public Works a monthly report on the progress of the contractual work.
5. Maintain a project log of information to be used as a reference in resolving contractors' requests for extensions of time, and recommend in writing to the Director of Public Works to reject, revise, or approve the extensions of time required by the contractor.
6. Participate in final inspections to determine acceptability of project.

The Using Department's representative shall:

1. Attend the pre-construction conference.
2. Confer with the Contract Administrator during the construction of the project as may be required in the event of changes.
3. Participate in the final inspection to determine acceptability of project.
4. Shall authorize **no changes** in the work without the approval of the Director of Public Works.
5. Shall make **no direct orders** to the contractor unless specifically authorized by the Director of Public Works.

Upon completion of the construction of a contract, the Public Works Department, in consultation with the using Department, shall prepare and record a Notice of Completion with the County Recorder with a copy to the City Clerk. The original Notice of Completion shall be returned to the City Clerk after recordation to effect termination of said contract.

Project records are to be maintained per the City's approved Records Retention Schedule.

Responsibility:

It shall be the responsibility of the City Clerk to issue a monthly insurance renewal report of all active contracts held by the City.

It shall be the responsibility of the Contract Administrator to follow up on the insurance renewal requirements of each contractor. This includes recording expiration dates of insurance and submitting renewal documents to ensure continuous coverage through the term of the agreement.

It shall be the responsibility of the Director of Public Works for the administration of all formal contracts for the construction of City improvement projects, together with certain inspection, coordination, and records retention responsibilities as outlined above.

It shall be the responsibility of the City Engineer to approve all plans, designs, and drawings for City Capital improvements.

It shall be the responsibility of the Building Division for checking plans, specifications and construction to assure conformance with the Building Code for City-owned buildings and structures, together with certain additional inspection responsibilities as outlined above.

The using department or control center is responsible for approval of the project plans and specifications and approval of final construction, together with certain inspection responsibilities outlined above.

Attachments: None